



VOSH PROGRAM DIRECTIVE: 12-122

ISSUED: August 1, 1993

SUBJECT: Lead Exposure in Construction, §1926.62

**A. Purpose.**

This Directive transmits the above-referenced standard to field personnel.

*This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH Personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.*

**B. Scope.**

This Directive applies to all VOSH Enforcement personnel.

**C. Action.**

The Assistant Commissioner for Enforcement, Directors and Supervisors shall assure that employers comply with the requirements of the standard concerning Lead Exposure in Construction.

**D. Effective Date.**

September 1, 1993

**E. Expiration Date.**

Not Applicable.

**F. Background.**

In 1971, federal OSHA adopted standards incorporating a permissible exposure limit (PEL) of 200 ug/m<sup>3</sup> to regulate occupational exposure to lead in general industry (29 CFR 1910.1000) and in the construction industry (29 CFR 1926.55). In 1978, federal OSHA promulgated a final lead standard for general industry (29 CFR 1910.1025), which among other things, lowered the PEL to 50 ug/m<sup>3</sup>. The revised 1978 lead standard for general industry excluded coverage of the construction industry. No corresponding federal construction standard was developed at that time.

The Safety and Health Codes Board adopted the lead standard for general industry, § 1910.1025, on May 24, 1979, with an effective date of July 1, 1979.

Since 1979, following the promulgation of the 1978 revision of the lead standard for general industry, employers have been required to comply with a PEL for lead in the construction industry that is four (4) times the PEL for general industry. No comprehensive standard regulating occupational lead exposure in construction existed; thus, employers have been required to protect their employees by taking actions imposed by generic standards that covered construction.

The Safety and Health Codes Board adopted the new lead standard for construction, §1926.62, on June 21, 1993, with an effective date of September 1, 1993.

## **G. Summary.**

This standard contains employee protection requirements for construction workers exposed to lead. The new lead standard for construction industry is similar to the existing VOSH lead standard for general industry, §1910.1025.

### **A. Scope.**

The standard applies to all construction work excluded from coverage by the general industry standard for lead, §1910.1025. "Construction work" means work involving construction, alteration and/or repair, including painting and decorating.

Such work includes, but is not limited to: demolition or salvage of structures where lead or materials containing lead are present; removal or encapsulation of materials containing lead; construction, alteration, repair, or renovation of structures, substrates, or portions thereof, that contain lead, or materials containing lead; installation of products containing lead; lead contamination/emergency cleanup; transportation, disposal, storage, or containment of lead or materials containing lead on the site or location at which construction activities are performed; and maintenance operations associated with the construction activities described above.

### **B. Permissible Exposure Limit (PEL).**

This standard reduces the permitted level of exposure to lead for construction workers from 200 micrograms per cubic meter of air (200 ug/m<sup>3</sup>) as an 8-hour time weighted average (TWA) to an 8-hour TWA of 50 ug/m<sup>3</sup>.

An action level of 30 ug/m<sup>3</sup> as an 8-hour TWA is established as the level at which employers must initiate certain compliance activities.

C. Monitoring.

The standard requires monitoring of employees. It also requires that, until the employer performs an exposure assessment for certain tasks, the employer will treat the employee as though the employee were exposed above the PEL. Monitoring is required every six (6) months if exposures are at or above the action level but at or below the PEL. Quarterly monitoring is required if exposures are above the PEL.

D. Employee Notification.

The employer is required to notify employees in writing concerning the results of monitoring within 5 days of the completion of exposure assessments.

E. Compliance Program.

The employer is required to establish and implement a written compliance program. The written program is required to be reviewed and updated at least every six (6) months to reflect the current status of the program.

F. Respiratory Protection.

The employer is required to perform either qualitative or quantitative respirator fit-testing every six (6) months. Qualitative fit-testing is permitted only for half-mask respirators.

G. Hygiene Facilities.

For employees exposed above the PEL, the employer shall:

- 1) provide clean changing areas;
- 2) provide shower facilities, where feasible;
- 3) assure that employees wash their hands and face at the end of the work shift, where showers are not provided; and
- 4) provide lunchrooms or eating areas for employees who are exposed to lead above the PEL.

H. Medical Surveillance:

The employer has the following responsibilities:

- 1) make initial medical surveillance available to employees who are exposed to lead at or above the PEL on any day;
- 2) institute a medical surveillance program for employees exposed at or above the action level for more than 30 days in any consecutive twelve (12) months;
- 3) institute medical removal for employees with an exposure at or above the action level and

with periodic and follow-up blood lead levels at or above 50 ug/dL; and

- 4) provide medical removal for employees exposed at or above the action level on each occasion that a final medical determination reveals a medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

I. Employee Information and Training:

The employer is required to provide training in accordance with the requirements of the Hazard Communication standard as well as provide a training program to all employees who are exposed to lead at or above the action level.

Warning signs are required in areas where employee exposure to lead is above the PEL.

Carol Amato  
Commissioner

E-Attachment: 58 Fed. Reg. 26627 (May 4, 1993)

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=FEDERAL\\_REGIS TER&p\\_id=13297&p\\_text\\_version=FALSE](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGIS TER&p_id=13297&p_text_version=FALSE)

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